



NAFTA Technical Working Group on Pesticides
Grupo de Trabajo Técnico del TLCAN sobre Plaguicidas
Le groupe de travail technique de l' ALENA sur les pesticides

NAFTA TECHNICAL WORKING GROUP ON PESTICIDES
Niagara-on-the-Lake, Ontario
May 6-7, 2008

MEETING SUMMARY REPORT

Introduction

The Executive Board of the North American Free Trade Agreement (NAFTA) Technical Working Group (TWG) on Pesticides met in Niagara-on-the-Lake, Ontario, from May 6 to 7, 2008. The meeting was hosted by Trish MacQuarrie, Director General of Policy, Communication, and Regulatory Affairs Directorate, Pest Management Regulatory Agency (PMRA), Health Canada. Government officials from Mexico, the United States, and Canada joined the other executive board members: Januario De Los Rios Nunez, Servicio Nacional de Sanidad, Inocuidad y Calidad Agroalimentaria¹ /Secretaría de Agricultura, Ganadería, Desarrollo Rural, Pesca y Alimentación² (SENASICA/SAGARPA) and Debra Edwards, Director of the Office of Pesticide Programs, United States Environmental Protection Agency (US EPA).

Opening Remarks and Country Updates

Ms. Trish MacQuarrie welcomed all present, expressing the importance of the NAFTA-related issues to the PMRA and Canadian stakeholders, including increased efficiencies for regulatory reviews, timely access to new pest management technologies, and aligned transition strategies for the phase out of older products. Ms. MacQuarrie indicated PMRA's worksharing continued to expand, including four joint reviews with other Organisation for Economic Co-Operation and Development (OECD) Regulatory Agencies. She provided an update on a number of other Canadian developments of interest to the NAFTA partners, including Ontario's government recent introduction of legislation to ban the cosmetic use of pesticides on lawns; publication of the PMRA's final decision document on 2,4-D; PMRA's new funding under Canada's Consumer Safety Action Plan to enhance its compliance and enforcement capacity while working with Industry and Consumers for the continued safe manufacture of pesticides. Ms. MacQuarrie also noted that the PMRA may have a name change in the near future, although there would be no change of mandate for the Agency.

Dr. Debra Edwards thanked the Canadian delegates for organizing the meeting. She highlighted that the meeting agenda reflected the NAFTA TWG's continued areas of

¹ National Service for Sanitary Food Safety and Quality

² Secretary of Agriculture, Livestock, rural Development, Fisheries and Food

effort, including food safety, equal access to pesticides among NAFTA countries, and sharing of experience and knowledge between our scientists. Dr. Edwards then provided an update on key US issues of interest to the NAFTA TWG, including commitments to data generation for food use inerts; epidemiology studies; planned screening of the first set of chemicals for endocrine disruption; challenges with nano-technology issues; spray drift and volatilization issues, plant incorporated protectants and seed treatments; Endangered Species Act; possible effects of chemical mixtures in the environment; control products for invasive species and vector control issues.

Dr. Januario De Los Rios Nunez thanked the organizers of the meeting. Dr. Nunez expressed Mexico's commitment, interest, and continuity in NAFTA TWG regulating the chemicals that have health and environment impact. Mexico continued to work on their legal framework for pesticide regulations, including the MRL standard. They are also engaging the agricultural producers in demonstrations of new technologies that can maintain human health.

Project updates

Registration review/Re-evaluation: The leads reported that work continues to establish processes for regular worksharing of products as part of their 15 year, periodic review. A more detailed project plan for two pilot chemicals will be drafted for the next TWG meeting; new pilots will be identified, and a detailed multi-year work plan will be developed for other workshare candidates.

Percent Crop Treated: Leads indicated the next step in this detailed review of procedures and statistical methods for estimating the Percent Crop Treated with a pesticide will be a review of PMRA's new data sources by the US EPA, with a report to be presented at the next TWG meeting.

Inerts/Formulants: The US lead indicated that, as a result of the US EPA Food Quality Protection Act reassessment of tolerance exemptions for food use inerts, US EPA revoked 123 tolerance exemptions (mainly surfactants) in 2006 because of insufficient data, with an effective date of August 9, 2008. The US EPA plans to extend this planned revocation of tolerance exemptions for some chemicals to August 9, 2009 because industry committed to supply additional data. The US EPA will provide additional details to PMRA regarding those inerts that will not be supported after August 2008, and those inerts that will be given an extension.

Maximum Residue Limits (MRLs/Tolerances)/Registration Gap

Joint Review and Worksharing Activities: Leads reported that there are now a total of five completed and two ongoing Joint reviews, one completed and two ongoing worksharing reviews, and 19 pre-submission consultations. Lessons learned from these activities were analysed, and will be shared with other OECD countries in fall, 2008. The productivity of one-day face-to-face meetings amongst evaluators was discussed as a means of resolving science-based issues. The Executive Board acknowledged the

increased activity in this area and the significant contribution to closing the technology gap that joint reviews and workshares have made. It was also noted that the MRLs of global reviews were not always aligned. The differences in MRLs from global reviews will be analysed for the next TWG meeting.

Minor Use Activities

Representatives from Canadian Pest Management Center (PMC) and US IR-4 program highlighted significant progress on NAFTA minor use efforts, which resulted in 51 new uses and reduced timeframes. PMRA will review possibility of accepting import tolerance requests for joint minor use submissions.

The US lead reported discussions at the United Nations Food and Agricultural Organization Global Minor Use Summit held December 2007 in Rome Italy regarding issues and solutions for specialty/minor use crops, and facilitating the trade of agricultural commodities internationally and the importance of developing globally harmonised crop groupings. The next Global Minor Use Summit is planned for 2010. CODEX has established a working group on minor uses and specialty crops, co-chaired by US, Australia and Kenya to implement action items identified at the Global Minor Use Summit.

The final Rule for the first crop grouping update in the US was published on December 2007. Canadian crop groupings similar to the IR-4 have been established in Canada and the next steps will be to communicate the update to stakeholders, including web posting.

USDA-ARS and the US Military may generate data in support of public health (vector control) for crop-use pesticides. The Canadian public health team will be linked to their US counterparts.

The Executive Board recommended continued discussion among PMC, PMRA, IR-4, and The US EPA regarding new possibilities for worksharing and report outcomes of this discussion to the next TWG meeting.

Mexican MRL Standard

The Mexican lead reported that Mexico is developing an MRL Standard, proposed for completion in 2010. In mid 2007, the Ministry of Health, through COPEPRIS established a specific working group that includes governmental agencies (the Ministry of Health, SAGARPA, and SEMARNAT), industry and non-governmental organizations, to begin the consideration of the new standard. The Mexican MRL revision is considering procedures and methods used in the United States, Canada, Codex, and the European Union, to establish MRLs. Progress will be reported at next TWG meeting.

Canadian Default MRL Policy

The Canadian lead provided an update on the General MRL Revocation Policy, indicating a document outlining PMRA's next steps is targeted for release this summer.

Grower Priorities

US lead discussed the grower priorities database launched in April, including the governments' role in the existing oversight committee; renewal of funding for specialty crops data input, management/ownership of the database, and how other non-specialty commodity groups and other NAFTA countries can enter priorities into the database.

A new management structure was developed for the database. The government and stakeholder Oversight Committee serves an advisory role, and two separate Screening Committees (one for US grower supplied data and one for Canadian grower supplied data) will ensure data quality by reviewing data before inclusion in database. The current database is being funded as Technical Assistance to Specialty Crops (TASC) grant from the USDA.

The leads stated that the US and Canada will continue consultations with specialty crop growers and involve other commodity groups. A work plan will be developed. Before the next NAFTA meeting, leads will investigate additional funding options and involve more growers in supplying data. The Canadian lead expressed the need for some outreach education for use of this database by Canadian growers, and for consultation with Canadian growers to clarify their priorities. For the next meeting, the workplan will be finalized and an update will be presented. The grower priority database can be located at: www.mrlharmonization.com.

GAP Policy Issue

The Canadian lead discussed the context of MRL gap issues. Opportunities for MRL alignment at the global level were discussed. It was decided to continue with the establishment of the NAFTA grower priority lists and identify next steps on MRL gap issues for the next NAFTA meeting.

No Real Trade irritants

Leads provided a draft document on pesticide and commodity combinations where, although the Canadian and US maximum residue limits differed numerically, the actual residue levels are in compliance in both countries when pesticides are used in accordance with the label. The draft document was approved by the Executive Board for website posting. The website will be updated periodically to reflect new pesticide-commodity combinations.

Labelling: NAFTA Label Task Force

The leads provided a progress report and an update on the four NAFTA labels that have been approved to date. New labelling projects include several amendments to additional product registrations and 9 new active ingredients under review. The leads also presented draft Terms of Reference of the NAFTA Label Task Force supporting future development of NAFTA labels. The draft Terms of Reference were approved by the Executive Board for further consultation with Task Force members.

Labelling: Non-Ag NAFTA Label

The leads discussed follow up items from the November 2007 NAFTA meeting regarding non-ag NAFTA labels. The lead stated that the Antimicrobial Division and Health Canada's Therapeutic Products Directorate (TPD) approved the first joint non-ag NAFTA label for Hard Surface Disinfectants on March 25, 2008. This represents the first use of a Globally Harmonised System (GHS) pictogram on a NAFTA label. The label utilized a guidance document developed by the working group which is now posted on the US EPA website. The Executive Board suggested that the TPD engagement should be clarified and communicated to the stakeholders, and that non-agricultural issues for discussion at the next TWG meeting be identified before September.

Biopesticides

The US lead provided an update on joint reviews of biopesticides and efforts to increase the growers' use of biopesticides. The Executive Board was very supportive of the biopesticide program because of the significant role of biopesticides in risk reduction. A biopesticide industry alliance in Canada, modeled after the US group was encouraged. The Executive Board agreed to increase focus on biopesticides at the next NAFTA meeting, tasking a team to organize presentations and a field trip as part of the stakeholder session, extending the meeting to three days. It was also agreed that a meeting invitation would be extended to other OECD countries.

Ecoregion Crosswalk

The leads provided an update on the Ecoregion Crosswalk project sheet. The leads plan to discuss the crosswalk project informally with other countries before presenting it at the OECD meeting in November 2008.

Azinphos methyl

The project leads provided an update on coordinated efforts to establish and implement transition strategies related to the phase-out of azinphos methyl (AZM). US lead indicated that three commodity-specific strategies/plans have been submitted by stakeholder groups to EPA and PMRA, including a gap analysis of berries and tree fruit uses. The project leads presented a sample tracking matrix and requested feedback on its utility from the Executive Board and TWG members prior to the next meeting. The

Executive Board recommended that this type of cooperation should be used as an example for other types of products. A progress report will be provided for the next NAFTA meeting.

TWG 5-Year Strategy

The lead presented a final draft of the NAFTA TWG 5-year Strategy, which then received Executive Board approval for public release and consultation. The document will be published for stakeholder comment with a target for final publication before the next NAFTA meeting.

Safety and Uncertainty Factors

Canadian leads provided an update on their draft policy, as published March 2008 entitled, “Consultation Update on PRO 2007-01, Regulatory Proposal for the Use of Uncertainty and Safety Factors in the Human Health Risk Assessment”. The leads indicated that the proposed approach outlined in this document is more closely aligned with approaches followed by EPA. PMRA targets finalization of this policy document in mid summer, 2008.

PMRA Risk Reduction Policy

The Canadian lead discussed the Canadian Risk Reduction Policy proposal document. This policy proposal acknowledges the central role of the PMRA to achieve a sustained and measurable reduction of pesticide risks to human health and the environment. The presentation precipitated a productive discussion regarding opportunities for information exchange. A working group will pursue collaboration in this area. Mexico committed to participate as an observer.

OECD Report Out

The leads reported on two successful OECD workshops on information technology and biopesticides, both held in April 2008. The leads discussed some of the key topics on the agenda of the upcoming OECD meeting in June 2008, including: spray drift reduction strategies; evaluation of persistent, bioaccumulative, and toxic pesticides; dermal absorption, and the benefits of joint reviews and worksharing.

Codex Report Out

Leads reported on key outcomes from the April 2008 meeting of the Codex Committee on Pesticide Residue (CCPR), including the continued extensive use of the accelerated process to quickly adopt Codex MRLs that do not present risk issues, the establishment of a Minor Use Workgroup, the continued work on the revision of the Codex classification and use of crop groupings, and a proposed pilot project to allow JMPR to propose tolerances prior to national governments.

Lifecycle Management

The Canadian lead provided an overview on the Canadian Lifecycle Management of Pesticides, including the objective, framework, guiding principles, and the instruments used for implementation. The first steps of the project will be to address manufacturing and disposal activities. Canada will send information to US on Canadian product stewardship and storage. Opportunities for further international linkages (eg. US recycling proposal released in 2008) will be discussed at the OECD meeting to be held in June 2008.

Import Safety

The Canadian lead provided background information on Canada's Food and Consumer Safety initiative and presented the Government of Canada's action plan on this issue. The PMRA roles were explained including: working with industry, providing information to Canadians, monitoring and enforcement. The US lead discussed the US import safety initiative. Mexican delegates explained the development of a national food and safety plan in Mexico, and committed to providing further information to the Executive Board. The Executive Board indicated a new project on Import Product Safety should be developed to enhance import safety regulation in each country, as appropriate. Mexico will participate. A project sheet was requested for the next NAFTA meeting.

Upcoming Meetings

The next government-stakeholder meeting will be held in Scottsdale (just outside of Phoenix) Arizona on November 19 2008. Stakeholders are also invited to join a biopesticides site tour the morning of November 20, 2008.